

VIRGINIA:

IN THE CIRCUIT COURT FOR THE CITY OF RICHMOND

LASHAWNDA D. WHITFIELD,

Plaintiff,

v.

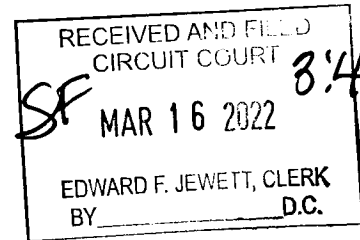
Civil Action No.:

CL22-1064-6

DENNIS E. PHILLIPS,

and

WALMART TRANSPORTATION, LLC



Defendants.

COMPLAINT

COMES NOW the Plaintiff, Lashawnda D. Whitefield, by counsel, and moves for judgment, jointly and severally, against the Defendants, Dennis E. Phillips and Walmart Transportation, LLC, on the grounds and in the amount as hereinafter set forth:

1. On or about April 13, 2020, on I85 Northbound, near Squirrel Level Road (Route 613) in Petersburg, Virginia, the Defendant, Dennis E. Phillips ("Phillips"), carelessly, recklessly and/or negligently operated a 2017 Peterbilt truck so as to cause it to collide with a 2003 Dodge Caravan owned by the Plaintiff, Lashawnda D. Whitfield, which had been struck by a 2005 Dodge Caravan operated by Kassa Wolde Giorgis. During the course of the collisions the Plaintiff was stuck by her vehicle.

2. At all times alleged herein, Defendant Phillips, was an agent and employee of the Defendant, Walmart Transportation, LLC., ("Walmart Transportation"), acting within the scope of his employment

3. At all times alleged herein, the 2017 Peterbilt truck being operated by Defendant Phillips was owned by Defendant Walmart Transportation.

4. As a direct and proximate result of the Defendants' aforesaid reckless, careless and/or negligent actions and omissions, the Plaintiff has suffered and will suffer and has incurred and will incur, both in the past and in the future: (a) severe, serious and debilitating physical injuries (including, without limitation, permanent injuries) and effects on her health; (b) physical pain and mental anguish; (c) inconvenience; (d) loss of earnings in the past and loss of earnings in the future; and (e) expenses for medical care and treatment and related expenses.

WHEREFORE, the Plaintiff, Lashawnda D. Whitfield, demands judgment against the Defendants, Dennis E. Phillips and Walmart Transportation, LLC., jointly and severally, in the sum of ONE MILLION TWO HUNDRED THOUSAND and NO/100 DOLLARS (\$1,200,000.00), plus interest from April 13, 2020, pursuant to § 8.01-382 of the Code of Virginia, (1950), as amended, and costs.

TRIAL BY JURY IS DEMANDED.

LASHAWNDA D. WHITFIELD

By: Gregory S. Hooe
Of Counsel

Gregory S. Hooe (VSB No. 21197)
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Petersburg, VA 23805
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COVER SHEET FOR FILING CIVIL ACTIONS

COMMONWEALTH OF VIRGINIA

Case No.

(CLERK'S OFFICE USE ONLY)

Richmond City

Circuit Court

Lashawnda D. Whitfield

v./In re: Dennis E. Phillips and Walmart Transportation, LLC

PLAINTIFF(S)

DEFENDANT(S)

I, the undersigned ☐ plaintiff ☐ defendant ☒ attorney for ☒ plaintiff ☐ defendant hereby notify the Clerk of Court that I am filing the following civil action. (Please indicate by checking box that most closely identifies the claim being asserted or relief sought.)

GENERAL CIVIL**Subsequent Actions**

- ☐ Claim Impleading Third Party Defendant
☐ Monetary Damages
☐ No Monetary Damages
☐ Counterclaim
☐ Monetary Damages
☐ No Monetary Damages
☐ Cross Claim
☐ Interpleader
☐ Reinstatement (other than divorce or driving privileges)
☐ Removal of Case to Federal Court

Business & Contract

- ☐ Attachment
☐ Confessed Judgment
☐ Contract Action
☐ Contract Specific Performance
☐ Detinue
☐ Garnishment

Property

- ☐ Annexation
☐ Condemnation
☐ Ejectment
☐ Encumber/Sell Real Estate
☐ Enforce Vendor's Lien
☐ Escheatment
☐ Establish Boundaries
☐ Landlord/Tenant
☐ Unlawful Detainer
☐ Mechanics Lien
☐ Partition
☐ Quiet Title
☐ Termination of Mineral Rights

Tort

- ☐ Asbestos Litigation
☐ Compromise Settlement
☐ Intentional Tort
☐ Medical Malpractice
☒ Motor Vehicle Tort
☐ Product Liability
☐ Wrongful Death
☐ Other General Tort Liability

ADMINISTRATIVE LAW

- ☐ Appeal/Judicial Review of Decision of (select one)
☐ ABC Board
☐ Board of Zoning
☐ Compensation Board
☐ DMV License Suspension
☐ Employee Grievance Decision
☐ Employment Commission
☐ Local Government
☐ Marine Resources Commission
☐ School Board
☐ Voter Registration
☐ Other Administrative Appeal

DOMESTIC/FAMILY

- ☐ Adoption
☐ Adoption - Foreign
☐ Adult Protection
☐ Annulment
☐ Annulment - Counterclaim/Responsive Pleading
☐ Child Abuse and Neglect - Unfounded Complaint
☐ Civil Contempt
☐ Divorce (select one)
☐ Complaint - Contested*
☐ Complaint - Uncontested*
☐ Counterclaim/Responsive Pleading
☐ Reinstatement - Custody/Visitation/Support/Equitable Distribution
☐ Separate Maintenance
☐ Separate Maintenance Counterclaim

WRITS

- ☐ Certiorari
☐ Habeas Corpus
☐ Mandamus
☐ Prohibition
☐ Quo Warranto

PROBATE/WILLS AND TRUSTS

- ☐ Accounting
☐ Aid and Guidance
☐ Appointment (select one)
☐ Guardian/Conservator
☐ Standby Guardian/Conservator
☐ Custodian/Successor Custodian (UTMA)
☐ Trust (select one)
☐ Impress/Declare/Create
☐ Reformation
☐ Will (select one)
☐ Construe
☐ Contested

MISCELLANEOUS

- ☐ Amend Death Certificate
☐ Appointment (select one)
☐ Church Trustee
☐ Conservator of Peace
☐ Marriage Celebrant
☐ Approval of Transfer of Structured Settlement
☐ Bond Forfeiture Appeal
☐ Declaratory Judgment
☐ Declare Death
☐ Driving Privileges (select one)
☐ Reinstatement pursuant to § 46.2-427
☐ Restoration - Habitual Offender or 3rd Offense
☐ Expungement
☐ Firearms Rights - Restoration
☐ Forfeiture of Property or Money
☐ Freedom of Information
☐ Injunction
☐ Interdiction
☐ Interrogatory
☐ Attachment Lien-Bill to Enforce
☐ Circuit Court Enforcement Public Official Petition
☐ Name Change
☐ Refund of Elections
☐ Sever Order
☐ Taxes (select one)
☐ Correct Erroneous State/Local
☐ Delinquent
☐ Vehicle Confiscation
☐ Voting Rights - Restoration
☐ Other (please specify)

☒ Damages in the amount of \$ 1,200,000.00 are claimed.

March 14, 2022

DATE

☐ PLAINTIFF☐ DEFENDANT☒ ATTORNEY FOR☐ PLAINTIFF☐ DEFENDANT

Gregory S. Hooe, Esquire - Marks & Harrison, P.C.

PRINT NAME

2618 S. Crater Road, Petersburg, VA 23805

ADDRESS/TELEPHONE NUMBER OF SIGNATOR

(804) 733-4456

ghooe@marksandharrison.com

EMAIL ADDRESS OF SIGNATOR (OPTIONAL)

*"Contested" divorce means any of the following matters are in dispute: grounds of divorce, spousal support and maintenance, child custody and/or visitation, child support, property distribution or debt allocation. An "Uncontested" divorce is filed on no fault grounds and none of the above issues are in dispute.

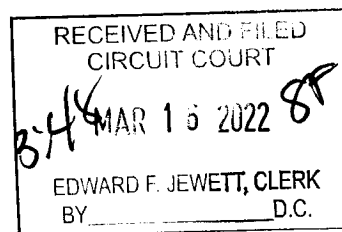


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March 14, 2022

Edward F. Jewett, Clerk
Richmond City Circuit Court
John Marshall Courts Building
400 North 9th Street
Richmond, VA 23219-1540

Lashawanda D. Whitfield
v.
Dennis E. Phillips
and
Walmart Transportation, LLC
Our File No.: 200529



Dear Mr. Jewett:

Enclosed are an original and one copy of Plaintiff's Complaint which I would appreciate your filing. My firm's check is enclosed to cover your filing fee. We are not requesting service at this time. Please return the receipt and a certified copy with the case number in the enclosed postage paid envelope.

Please call if you have any questions. I appreciate your cooperation.

Sincerely,

Gregory S. Hooe

GSH/sec
Enclosure

c: Ms. Lashawnda D. Whitfield